

**DRAFT**  
**Residential Study Group (RSG)**  
**March 8, 2019**  
**10:00 a.m. – 11:00 a.m.**  
**Arlington Town Hall, First Floor Conference Room**  
**MEETING SUMMARY**

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Attendees: Mike Byrne, Mike Ciampa, Bill Copithorne, Wynelle Evens, Pat Hanlon, Steve McKenna, Jonathan Nyberg, Kathy O'Rourke, Liz Pyle, Jenny Raitt, Erin Zwirko

Guests: Steve Makowka, Beth Melofchik, Wendy Richter, Don Seltzer, Paul Parisi, Jo Anne Preston, Carl Wagner, Patricia Worden

In January, the ARB had requested that the Residential Study Group provide a recommendation on the Zoning Bylaw amendment for accessory dwelling units. Jenny requested that the Study Group members provide their feedback.

Liz expressed serious concern that there would be significant unintended consequences if the amendment was adopted as written. She believes that there would be abuse of the amendment from short term rental websites and that it would lead to more teardowns in the single family neighborhoods. The amendment needs to address the need for additional parking. The amendment would add additional stress to the over-capacity Inspectional Services Department. Liz references Nantucket's zoning for accessory apartments, noting that there is a residency requirement and a longer rental term. She does not think the proposal should go forward.

Wynelle is concerned that the amendment is coming to the Study Group last. The Study Group was directed to review the effects on neighborhoods, so the amendment should have originated in the Study Group. The amendment contradicts the descriptions of the R0 and R1 districts in the Bylaw. She also referenced the need of the Study Group to focus on their own amendments.

Jon stated that he did not think parking would be an issue. Teardowns are already a concern, but the amendment would not increase tear downs to replace single family homes with two family homes because that is allowed. An accessory unit would have to be contained within an existing house and would only be allowed a small percentage of the gross floor area.

Bill wondered whether other communities issue a lot of permits for accessory units. He believed that the rental term should be 9 to 12 months, not 90 days. He felt that the temporary absences is too restrictive. He did not think the questions raised could be satisfied by Town Meeting.

Pat did not believe there would be many applications for accessory units. He felt that the rental term should be longer. He noted that the amendment should allow the ZBA to create

conditions relative to parking requirements rather than have a specific requirement in the bylaw. He too believed that the temporary absence requirements were too restrictive and suggested looking at Lexington's bylaw. He also noted that there is little time to settle the issue before Town Meeting. He recommended that a study be undertaken on accessory units.

Wendy agreed with the sentiments made so far.

Mike Byrne noted that Fire Chief Jefferson has serious concerns with the amendment. Mike noted that Inspectional Services would have a difficult time enforcing the bylaw due to the plain sight doctrine. He expressed concern with overcrowding.

Steve, who was on the phone, noted that if there is a burden on Inspectional Services, the town needs to help with those staffing or fining issues. He does not think that the bylaw would turn single family homes into hotels. The accessory unit allows multigenerational families to live together but have own space. The special permit framework means that the process would not be under the radar. Steve suggested two pathways: non-rental and rental accessory units.

Liz noted that there has been a good discussion. It is clear that the article is not ready. There needs to be a process to engage stakeholders and amend the language, especially the concerns of the Fire Department. Liz suggested that the ARB should recommend no action and allow a study to happen.

Pat agreed. He wants to understand the interest of the community before moving forward. The Town Meeting Warrant is long, and there is no room for half-baked proposals. Steve wondered if the proposal should go back to the Residential Study Group. Pat was not sure if the Study Group was the right entity, but maybe a separate subcommittee.

Jenny asked if the guests had any comments on the proposal.

Carl Wagner stated that multigenerational families can have separate quarters, as long as there is no kitchen facilities. He noted that this would be the third time in 10 years that Town Meeting would review an accessory unit amendment. He did not think it would be appropriate to return.

Jenny noted that the ARB would receive the recommendations of the Residential Study Group and the Housing Plan Implementation Committee, and make a decision based on those recommendations whether to continue to pursue the recommendation. There could be a solution in the future.

Patricia Worden stated that she was impressed with the review of the Study Group. She noted that there needs to be a parking requirement, but questioned whether accessory units were necessary for the community.

Jo Anne noted that the subcommittee that might be created for the study should include those people who might need accessory units. She wondered what the housing trends for seniors are in the community.

Bill made a motion to recommend that the ARB take no action on the amendment and study the issue further. Jon seconded the motion. All present voted in favor.

Turning to the other items proposed by the Study Group for Town Meeting, Jenny noted that the Finance Committee has not scheduled a hearing for the residential design guidelines. Liz requested that Inspectional Services assist in preparing a rationale for the half story article. She felt comfortable explaining the driveway slope article, and she reported that the tree article, which affects the Town Bylaw, was successfully addressed by Town Counsel.

Wynelle made a motion to approve the minutes from the January 28<sup>th</sup> meeting. Pat seconded the motion. All present voted in favor.

The Study Group scheduled the next meeting for March 22 at 8:30 AM.

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